

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b> _____
	:	
<b>v.</b>	:	<b>DATE FILED:</b> _____
	:	
<b>CHRISTOPHER BOOKER</b>	:	<b>VIOLATIONS:</b>
	:	
	:	<b>21 U.S.C. § 846 (conspiracy to distribute</b>
	:	<b>and possess with intent to distribute</b>
	:	<b>cocaine base (“crack”) - 1 count)</b>
	:	<b>21 U.S.C. § 841 (a)(1) (possession with</b>
	:	<b>intent to distribute cocaine base (“crack”)</b>
	:	<b>- 1 count)</b>
	:	<b>18 U.S.C. § 924(c) (possession of firearms</b>
	:	<b>in furtherance of drug trafficking</b>
	:	<b>felony - 1 count)</b>
	:	<b>21 U.S.C. § 853</b>
	:	<b>18 U.S.C. § 924(d)</b>
	:	<b>28 U.S.C. § 2461(c)</b>
	:	<b>(criminal forfeiture)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From in or about January 2004 to on or about October 29, 2004, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**CHRISTOPHER BOOKER**

conspired and agreed, with others known and unknown to the grand jury, to knowingly and intentionally distribute, and possess with intent to distribute, 50 grams or more of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

## **MANNER AND MEANS**

It was part of the conspiracy that:

2. Defendant CHRISTOPHER BOOKER obtained approximately 4.5 ounces of cocaine base (“crack”) from a supplier in Philadelphia and transported the controlled substance, together with firearms intended to be used for protection, to Atlantic City, New Jersey to sell the cocaine base (“crack”) to third parties for profit.

## **OVERT ACTS**

In furtherance of the conspiracy, the defendant, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. In or about October 2004, defendant CHRISTOPHER BOOKER received delivery of approximately 4.5 ounces of cocaine base (“crack”) from a person known to the grand jury in Philadelphia, Pennsylvania.

2. In or about October 2004, defendant CHRISTOPHER BOOKER transported the cocaine base (“crack”) he had obtained, together with two loaded firearms, from Philadelphia, Pennsylvania to Atlantic City, New Jersey in order to sell and distribute the “crack” in Atlantic City for profit.

3. On or about October 29, 2004, defendant CHRISTOPHER BOOKER possessed with intent to distribute approximately 149.5 grams of cocaine base (“crack”) and two loaded firearms, a silver Smith and Wesson .40 caliber semi-automatic pistol, serial number VYK8341, and a black Hi Point model C9, 9mm pistol, serial number P173972, in Room 309 of the Best Western Envoy Inn motel in Atlantic City, New Jersey.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

From in or about October 2004 to on or about October 29, 2004, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**CHRISTOPHER BOOKER**

knowingly and intentionally possessed with intent to distribute more than 50 grams, that is, approximately 149.5 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

From in or about October 2004 to on or about October 29, 2004, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**CHRISTOPHER BOOKER**

knowingly possessed two firearms, that is: (a) a silver Smith and Wesson .40 caliber semi-automatic pistol, serial number VYK8341, and (b) a black Hi Point model C9, 9mm pistol, serial number P173972, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute and possess with intent to distribute cocaine base ("crack"), and possession with intent to distribute cocaine base ("crack").

In violation of Title 18, United States Code, Section 924(c)(1).

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1) set forth in this indictment, the defendant

#### **CHRISTOPHER BOOKER**

shall forfeit to the United States of America:

(a) Any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation of Title 21, United States Code, as charged in this Indictment;

(b) Any property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violations of Title 21, United States Code, as charged in this Indictment;

2. If any of the property described above as being subject to forfeiture, as a result of any act of omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violation of Title 18, United States Code, Section 924(c)(1), set forth in Count Three of this indictment, defendant

**CHRISTOPHER BOOKER**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- (a) one silver Smith and Wesson .40 caliber semi-automatic pistol, serial number VYK8341 and ammunition; and
- (b) one black Hi Point, model C9, 9mm pistol, serial number P173972, and ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

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**FOREPERSON**

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**PATRICK L. MEEHAN**  
**United States Attorney**